



Department of Energy

Oak Ridge Office
P.O. Box 2001
Oak Ridge, Tennessee 37831

September 21, 2006

Ms. Rhonda Bogard, Vice Chair
Oak Ridge Site Specific Advisory Board
Post Office Box 2001, EM-91
Oak Ridge, Tennessee 37831

Dear Ms. Bogard:

RESPONSE TO RECOMMENDATIONS FOR LONG-TERM STEWARDSHIP OF CONTAMINATED AREAS ON THE OAK RIDGE RESERVATION

Thank you for your letter, "Recommendations for Long-Term Stewardship of Contaminated Areas on the Oak Ridge Reservation." Implementation of a sustained and viable Long-Term Stewardship (LTS) program that is well accepted by the citizens of this area is vital to the successful completion of the Oak Ridge Reservation (ORR) cleanup program.

The letter included four principal elements, the first of which was further expanded into supporting elements. Let me respond to each:

1. Regarding the recommendation to "Establish a stewardship information system consistent with stakeholder needs and recommendations," and further expanded into five supporting elements, Department of Energy (DOE) offers the following. The supporting elements briefly highlighted in *italics*:

- *"Collect, preserve, and integrate all information needed for Long Term Stewardship."*

DOE will continue to collect and preserve required cleanup project documentation in the Administrative Record and post Record of Decision (ROD) record files as required by the Oak Ridge Federal Facility Agreement (FFA). As documented in the *Public Involvement Plan for Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Activities at the U.S. Department of Energy Oak Ridge Reservation*, DOE will notify the public if DOE intends to destroy any of the FFA records. In addition to these files, DOE will preserve and archive project files and documentation and will send appropriate engineering information to the DOE records archival systems. DOE will continue to post Notations on Ownership Record for the ORR, for those areas wherein contamination remains in place.

- *Incorporate stewardship activities into a project management and tracking system..."*

DOE Environmental Management (EM) will prepare, and plans to issue an Oak Ridge Office (ORO) LTS Directive. In addition to the directive, EM will prepare an ORO EM LTS Implementation Plan. DOE will continue to require its environmental cleanup contractor to provide life-cycle baseline plans and estimates for surveillance and maintenance activities. As areas of the ORR continue to shift from cleanup to stewardship, appropriate modifications in the EM budget requests and baseline will be made to support the stewardship and monitoring requirements identified in the ROD and the Remedial Action Reports documents. The required tracking of the effectiveness of the remediation performed will be reported in the CERCLA Five-Year Review reports.

- *“Implement a system of public information and education...”*

DOE will continue its current practice of providing its annual Remediation Effectiveness Report and CERCLA Five-Year Review reports, as well as the Annual Site Environmental Report and accompanying Student Summary. The public will be invited to participate in some of the 5-year review activities.

Following the signing of future cleanup RODs, DOE will make available to the public “property record notices” identifying the land use controls in place. DOE will update this information, based on the approved Remedial Action Reports, for each watershed as the cleanups are completed.

- *“Institute procedures for filing and registering contaminated land notices....”*
“Specify in relevant city, county and state information systems the conditions and restrictions.”

This item is the subject of the Site Specific Advisory Board recommendation upon which DOE provided its response dated February 27, 2006. DOE will include specific procedures in the planned ORO LTS Management Directive and ORO EM LTS Implementation Plan.

- *“Oak Ridge City Council should establish any additional land use categories....”*
“State should add (new) categories to the list of required Notices to Buyers”

Comment noted.

2. Regarding the recommendation that “DOE codify its stewardship requirements and responsibilities in legally binding documents,” DOE offers the following:

Where LTS elements are part of the remedy in a CERCLA ROD, then per CERCLA statutes, DOE must satisfy those legally binding requirements to ensure protectiveness of human health and the environment. These LTS elements are highlighted in other documents, including the Land Use Control Assurance Plan, follow on Land Use

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Controls Implementation Plans, and Remedial Action Reports. In general, these institutional controls are designed and implemented to supplement engineering controls in those cases where residual risk due to in situ contamination remains. DOE will prepare final RODs for all sites requiring LTS.

3. Regarding the recommendation to "Complete the LTS Implementation Plan... described in the Annotated Outline. Provide legal citations..." DOE offers the following:

DOE completed its ORO LTS Strategic Plan in October 2003. DOE plans to complete an ORO LTS Management Directive by late 2006 that will provide direction for all relevant, involved, ORO organizations including Environmental Management Real Estate, Budget, Security, etc. DOE will complete an ORO EM LTS Implementation Plan in Fiscal Year 2007 that will provide direction and procedures on EM's specific responsibilities.

4. Regarding the recommendation to "Prepare a public fact sheet for each watershed upon completion of watershed's remediation," DOE offers the following:

DOE will prepare public notices for Notations on Ownership Record for wastes closed in place (e.g., for Melton Valley, Solid Waste Storage Areas 4, 5, and 6; Pits 1, 2, 3, and 4; Trenches 5, 6, and 7). DOE will prepare fact sheets by watershed, providing collective information on watershed LTS elements.

If you have any questions or concerns with this outlined page, please call Ralph Skinner, LTS Program Manager for the EM Program, at 576-7403.

Sincerely,



Stephen H. McCracken
Assistant Manager for
Environmental Management

cc:

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